

AMENDMENTS TO THE CLAIMS:

This listing of claims will replace all prior listings and versions of claims in this application. Please amend claim 28 and cancel claim 31, without prejudice or disclaimer, as follows.

1-22. (Canceled).

23. (Previously Presented) A device for performing endoluminal fundoplication of a patient's esophagus and stomach, comprising:

- a flexible tube having a distal end adapted for insertion in the stomach through the esophagus;

- a grasper disposed adjacent the distal end of the flexible tube and configured to grasp a selected portion of an esophageal wall;

- a tissue displacement device disposed adjacent the distal end of the flexible tube and configured to press a fundus wall of the stomach towards the esophageal wall, so as to form an intussusception of the esophagus into the stomach; and

- a fastening device configured to pass through a lumen of the flexible tube relative to the tissue displacement device and configured to insert a fastener through the intussusception after the intussusception is formed so as to maintain the esophageal wall and the fundus wall adjacent to one another.

24. (Previously Presented) The device of claim 23, further comprising an injector configured to inject one of an adhesive agent and a sclerosant agent between the fundus wall and the esophageal wall.
25. (Previously Presented) The device of claim 23, wherein the flexible tube comprises an overtube having at least one lumen for accommodating at least one of an endoscope and the tissue displacement device.
26. (Previously Presented) The device of claim 23, further comprising an endoscope.
27. (Previously Presented) The device of claim 23, wherein the grasper is configured to pull the grasped portion of the esophageal wall into the stomach.
28. (Currently Amended) The device of claim 23, wherein the fastening device includes a hypotube configured to extend across the intussusception.
29. (Previously Presented) A device for performing endoluminal fundoplication of a patient's esophagus and stomach, comprising:
- a grasper configured to grasp a selected portion of an esophageal wall;
 - a tissue displacement device configured to press a fundus wall of the stomach towards the esophageal wall, so as to form an intussusception;
 - a fastener; and

a fastening device configured to insert the fastener through the
intussusception after the intussusception is formed so as to maintain
the esophageal wall and the fundus wall adjacent to one another,
wherein the fastener includes a distal end and a proximal end, and at least
one of the distal and proximal ends includes an inflatable member.

30. (Previously Presented) The device of claim 23, wherein the fastener includes a
distal end and a proximal end, and at least one of the distal and proximal ends
includes a deformable member.

31-32. (Cancelled)